

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 395

Complete if Known

Application Number	09/ 934,156
Filing Date	August 21, 2001
First Named Inventor	David Roth Rigney
Examiner Name	Cheyne D. Ly
Art Unit	1631
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
Extra Claims		
Fee (\$)		
Fee Paid (\$)		

_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	_____ (round up to a whole number)	x _____ = _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): REQUEST FOR CONTINUED EXAMINATION (RCE). SMALL ENTITY

395

SUBMITTED BY

Signature	David R Rigney	Registration No. (Attorney/Agent)	Telephone (512) 445-7301
Name (Print/Type)	David R. Rigney	Date	August 20, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



August 23, 2005 via Express Mail ED 535352165 US

TRANSMITTAL LETTER

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

On August 20, 2005, I faxed the attached "Request for Continued Examination" for Application No. 09/934,156 to the USPTO central fax number (571) 273-8300. That fax of 23 pages went through without any indication of a problem. In the past, when I have sent a fax to the USPTO, I always got a prompt fax-back reply as a receipt. This time, however, I did not get a fax-back receipt. Yesterday, I spoke about this with Karen in the USPTO's electronic business center (tel. 866-217-9197), and she suggested that I send a re-transmission, because she could not locate the fax. After re-transmitting the fax without any indication of a problem, I again called the electronic business center and spoke with Bridget, who said that she could not locate the fax that I had re-transmitted. She advised me that she would put in a request to have an email sent to me, advising me of the status of those faxes.

As of late this afternoon, I have not received an email back advising me of the status of the faxes. Because an expedited review of the deposit is being requested, I am sending the enclosed printed copy of the deposit, without waiting for further notification about the status of the faxes.

Sincerely yours,

David R. Rigney

David R. Rigney
GENETWORKS Inc.
P.O. Box 33296
Austin TX 78764-0296
Tel. 512-445-7301
drigney@genetworks.com

Enclosures:

This transmittal letter
RCE transmittal
Fee Transmittal
Credit Card Payment Form
Amendment Under Rule 116, Consisting of 20 pages
Postcard to be stamped and returned